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*Attorneys for Defendant
 Fashion Nova, Inc.*

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

JUAN ALCAZAR, individually
 and on behalf of all others similarly
 situated,

Plaintiff,

v.

FASHION NOVA, INC., a
 California Corporation, and DOES 1 to 10,
 inclusive,

Defendants.

) Case No. 4:20-cv-01434-JST
)
) Assigned to Hon. Jon S. Tigar
)
) **DECLARATION OF ERIC B.**
) **SCHWARTZ IN SUPPORT OF**
) **DEFENDANT FASHION NOVA, INC.’S**
) **MEMORANDUM OF POINTS AND**
) **AUTHORITIES IN SUPPORT OF ITS**
) **MOTION TO EXCLUDE EXPERT**
) **OPINION OF ROBERT MOODY**
)
) [Filed concurrently with Memorandum of
) Points and Authorities; and Proposed Order]
)
)
)

1 I, Eric B. Schwartz, declare as follows:

2 1. I am an attorney, duly licensed to practice law in the State of California, and am
3 admitted before this Court. I am a partner with the law firm of Sidley Austin LLP, counsel of record
4 for Defendant Fashion Nova, Inc. (“Fashion Nova”) in this action. I submit this declaration in
5 support of Fashion Nova, Inc.’s Memorandum of Points and Authorities in Support of its Motion to
6 Exclude the Expert Opinion of Robert Moody. I have personal knowledge of the matters set forth in
7 this declaration and, if called upon, I could and would competently testify thereto.

8 2. Attached hereto as **Exhibit A** is a true and correct copy of the Report of Robert
9 Moody, dated June 23, 2023.

10 3. Attached hereto as **Exhibit B** is a true and correct copy of the excerpts from the
11 October 26, 2023 Deposition Transcript of Robert Moody.

12 I declare under penalty of perjury that the foregoing statements are true and correct.

13 Executed on this 30th day of November 2023, in Los Angeles, California.

14 /s/ Eric B. Schwartz
15 Eric B. Schwartz
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